

Staff Summary Report



Council Meeting Date: May 1, 2008

Agenda Item Number: _____

SUBJECT: Request approval of a resolution authorizing the City Manager to execute Intergovernmental Agreements between the City of Tempe and one or more Indian Communities for the disbursement of a portion of their gaming revenues to support economic development within the City of Tempe.

DOCUMENT NAME: 20080501cdls01 **COMMUNITY DEVELOPMENT ADM (0403-01) RESOLUTION NO. 2008.33**

SUPPORTING DOCS: No.

COMMENTS: The monies will be utilized for support of the Apache ASL Trails project for the Deaf, Deaf/Blind and Hard of Hearing located at 2428 East Apache.

PREPARED BY: Larry Schmalz, Redevelopment Manger, (480) 350-8924

REVIEWED BY: Chris Salomone, Community Development Manager, (480) 350-8294

LEGAL REVIEW BY: Cynthia McCoy, Assistant City Attorney, (480) 350-2187

FISCAL NOTE: None.

RECOMMENDATION: Recommend approval of Resolution No. 2008.33 authorizing the execution of one or more Intergovernmental Agreements between the City of Tempe and the Communities.

ADDITIONAL INFO: Proposition 202 was passed by the voters in November, 2002. This legislation requires Indian Tribes to distribute 12% of their gaming proceeds to cities, towns and counties for government services that benefit the general public, including public safety, mitigation of gaming impacts and promotion of commerce and economic development. Apache ASL Trails is applying for grants at one or more of the Indian Communities to help support their project.

RESOLUTION NO. 2008.33

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF TEMPE, ARIZONA, AUTHORIZING
THE CITY MANAGER TO ENTER
INTERGOVERNMENTAL AGREEMENTS WITH ONE OR
MORE INDIAN COMMUNITIES FOR THE GRANT AND
THE DISBURSEMENT OF GAMING REVENUES TO
SUPPORT ECONOMIC DEVELOPMENT WITHIN THE
CITY OF TEMPE.**

WHEREAS, Arizona Revised Statutes (A.R.S.), § 11-951 through § 11-954, provide that public agencies may enter into intergovernmental agreements for the provision of services or for joint or cooperative action, and the City of Tempe ("Tempe") is empowered by Tempe City Charter Section 1.03 to enter into Intergovernmental Agreements; and

WHEREAS, Indian Communities are required to share 12% of their annual gaming revenues with local governments for the benefit of the general public; and

WHEREAS, Apache ASL Trails is an affordable housing project currently under development within the City of Tempe that will serve very low-income, moderate and middle income Deaf, Deaf/blind and Hard of Hearing Seniors; and

WHEREAS, Apache ASL intends to seek grants in aid of completion of the project from one or more Indian Communities to be funded from gaming revenues; and

WHEREAS, Tempe recognizes that Apache ASL Trails is the first housing environment sensitive to the needs of Deaf, Deaf/Blind and Hard of Hearing Seniors in Arizona and will set a precedent for barrier free socialization, and Tempe supports Apache ASL Trails in its application for gaming revenue grants

WHEREAS, if Apache ASL Trails is successful and one or more Indian Communities desires to convey to Tempe a portion of its annual gaming revenues in support of the Apache ASL Trails project, Tempe desires to authorize the Tempe City Manager to enter an Intergovernmental Agreement to govern the acceptance and disbursement of said revenues.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

Section 1: That the City Manager or his designee be and hereby is authorized and directed to negotiate and enter into one or more intergovernmental agreements with any Indian Community desiring to contribute funds in support of the Apache ASL Trails project. Each intergovernmental agreement shall contain such terms and conditions as are approved by the City Manager or his designee.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,
ARIZONA**, this _____ day of _____, 2008.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY